STATE OF NEW YORK

6501

2023-2024 Regular Sessions

IN ASSEMBLY

April 12, 2023

Introduced by M. of A. GONZALEZ-ROJAS -- read once and referred to the Committee on Correction

AN ACT to create a temporary state commission to study and investigate issues affecting reentry of women released from correctional facilities; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. A temporary state commission, to be known as the New York state criminal justice commission on women's reentry (hereinafter "commission"), is hereby created to study issues, including relevant statutes, regulations and existing programs involving women's reentry and re-integration of women who are released from state and local correctional facilities.

§ 2. The commission shall investigate all factors that impede successful re-integration for women. The commission shall analyze the impact of existing policies on successful reentry, identify specific obstacles to re-integration and compare policies of this state to those of other states and the federal government. The commission shall collect data from state and federal agencies and may analyze any current research deemed relevant and appropriate. The commission shall examine issues relating to women's reentry, including, but not limited to, identifying physical and psychological hardships endured while incarcerated that may impede successful reentry, identifying specific services that are necessary for successful reentry, identifying current obstacles to women receiving these services, and proposing solutions to remove these obstacles. The commission specifically shall examine challenges and gender-responsive solutions in the following areas:

a. Physical and mental health care, substance use and trauma;

b. Housing;

c. Employment and education;

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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d. Family reunification and parental support;
e. Domestic violence and sexual violence;
f. Access to legal assistance and current legal restrictions that create barriers to successful reentry;
g. Integration of corrections, parole, and reentry, including the use of parole and supervision; and coordination with community-based providers.

§ 3. a. The commission shall consist of eighteen members as follows: three members shall be appointed by the speaker of the assembly; three members shall be appointed by the temporary president of the senate; two members shall be appointed by the minority leader of the senate; and two members shall be appointed by the minority leader of the assembly. Members so appointed shall include a representative of an organization that advocates for women in the criminal justice system, a representative of a domestic violence advocacy and/or services organization, two representatives from organizations that provides reentry services for women, an attorney with expertise in women's reentry challenges, a representative of an organization that provides mental health services to women, a representative of an organization that provides substance use treatment for women, a representative of an organization that provides employment and education services to women, a professional with experience in women's health issues and women's health issues in jail and prison, and an academic professional that studies the needs of women involved in the criminal justice system. The remaining members shall be the heads of the following departments or agencies or their respective designees: the department of corrections and community supervision, the department of criminal justice services, the office for the prevention of domestic violence, the department of health, the division of housing and community renewal, the department of labor or the department of education, the office of addiction services and supports, and the office of probation and correctional alternatives or the division of parole. No person shall be a member of such commission while such person is a member of the senate or assembly. Any vacancy on such commission shall be filled in the same manner as the original appointment was made. The chairperson of the commission shall be the head or designee of the division of criminal justice services. The vice-chairperson of the commission shall be a representative of one of the community-based organizations and appointed by the chairperson.

b. Except as provided in subdivision a of this section, no member, officer or employee of the commission shall be disqualified from holding any other public office or employment, nor shall he or she forfeit any such office or employment by reason of his or her appointment hereunder, notwithstanding the provisions of any general, special or local law, ordinance or city charter.

§ 4. The members of the commission shall receive no compensation for their services, but shall be allowed their actual and necessary expenses incurred in the performance of their duties hereunder.

§ 5. The commission may employ and at pleasure remove such personnel as it may deem necessary for the performance of its functions and fix their compensation within the amounts made available by appropriation therefor.

§ 6. For the accomplishment of its purposes, the commission shall be authorized and empowered to undertake any studies, inquiries, surveys or analyses it may deem relevant through its own personnel or in cooperation with or by agreement with any other public or private agency. Such commission shall meet and hold public hearings or private meetings with-

in or without the state, and shall have all the powers of a legislative committee pursuant to the legislative law.

§ 7. The commission may request and shall receive from any court in the state and from any subdivision, department, board, bureau, commission, office, agency or other instrumentality of the state or of any political subdivision thereof such facilities, assistance and data as it deems necessary or desirable for the proper execution of its powers and duties and to effectuate the purposes set forth in this act.

§ 8. The commission shall make a report of its findings, including any recommendations for legislative action as it may deem necessary and appropriate, to the governor and the legislature no later than eighteen months after this act shall have become a law.

§ 9. This act shall take effect immediately and shall expire and be deemed repealed two years after such date.